

Message Text

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DRAFTED BY ARA/MEX:D.E.SIMCOX:MRG
APPROVED BY ARA:S.SHELTON
CA:A.GISE (PHONE)
COMMERCE/USTS:J.O'BRIEN (PHONE)
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TO AMEMBASSY MEXICO IMMEDIATE
INFO AMCONSUL TIJUANA IMMEDIATE
AMCONSUL GUADALAJARA IMMEDIATE

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GUADALAJARA FOR ASSISTANT SECRETARY CHAVEZ AND KEN MCKUNE

E.O. 11652: N/A

TAGS: CASC, OTRA, MX

SUBJECT: TOURISM SUBGROUP: BAJA CALIFORNIA PUBLIC
DEFENDER SYSTEM FOR TOURISTS

1. AMCONSUL TIJUANA HAS FORWARDED TEXT OF BAJA CALIFORNIA
STATE LAW WHICH WENT INTO EFFECT DECEMBER 21 ESTABLISHING
"PUBLIC ATTORNEY SERVICE FOR PROTECTION OF TOURISTS IN
THE STATE OF BAJA CALIFORNIA." (COPIES OF THE DECREE WERE
POUCHED BY TIJUANA MARCH 20 TO EMBASSY AND ALL CONSULATES.)

2. IN SUMMARY, THE LAW ASSIGNS A "PROCURADOR" TO HANDLE
CASES OF TOURISTS WHO FIND THEMSELVES IN TROUBLE IN
BAJA OR HAVE SOME COMPLAINT. THE NEW LAW SPECIFIES THAT
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THE PROCURADOR MUST SPEAK ENGLISH AND HAVE A DEGREE IN
LAW OR TOURISM. HIS POWERS ARE LIMITED TO CONCILIATION
IN CONFLICTS BUT HE IS ALSO AUTHORIZED TO LEVY FINES OF
UP TO 5000 PESOS IN MINOR CASES. THE PROCURADOR IS
AUTHORIZED TO ACT AS THE REPRESENTATIVE OF A COMPLAINANT
EITHER PERSONALLY OR THROUGH POWER OF ATTORNEY BUT ALL
CASES WHICH CANNOT BE RESOLVED THROUGH ARBITRATION MUST

BE SENT WITH THE PROCURADOR'S RECOMMENDATIONS TO THE STATE
DISTRICT ATTORNEY FOR FURTHER ACTION.

3. THE LAW LOOKS VERY PROMISING, BOTH AS POSITIVE HUMAN
RIGHTS STEP AND AS MEANS OF REDRESS AND PROTECTION FOR
THE MANY U.S. TOURISTS VISITING BAJA. DURING TOURISM
SUBGROUP MEETING, IT IS HOPED THAT U.S. DELEGATION WILL
REFER WITH INTEREST TO ENACTMENT OF THE NEW LAW AND NOTE
THAT FULL AND EFFECTIVE IMPLEMENTATION OF SUCH LEGIS-
LATION COULD FURTHER IMPROVE CLIMATE FOR TOURISM AND
HELP TO SMOOTH MINOR BUT NONETHELESS CONTINUING IRRITANT
IN OUR OVERALL RELATIONSHIP. YOU MAY WISH TO EXPRESS
HOPE THAT OTHER MEXICAN STATES, PARTICULARLY THOSE WITH
HEAVY TOURISM FLOWS, OR FEDERAL GOVERNMENT ITSELF, MIGHT
CONSIDER SIMILAR ARRANGEMENTS.

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